

1-29-04

JDAC

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/016,101	
	Filing Date	10/31/2001	
	First Named Inventor	Michele DuPhily	
	Art Unit	3621	
	Examiner Name		
Total Number of Pages in This Submission	16	Attorney Docket Number	MicroD-02

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Cover Letter and Exhibits A - G to Petition.		

RECEIVED

FEB 03 2004

OFFICE OF PETITIONS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Law Office of David McEwing
Signature	
Date	January 28, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	
Signature	Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY



Law Office of David L. McEwing, Patent Attorney

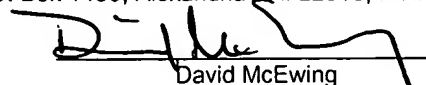
PO Box 231324
Houston, Texas 77023

Telephone (713) 514-0137
FAX (713) 514-9840

www.HoustonPatentLaw.com
dmcewing@houston.rr.com

CERTIFICATE OF SERVICE

I hereby certify that this correspondence is being deposited on January 28, 2004 with the United States Postal Service, postage prepaid, as Express Mail – Post Office to Addressee, in an envelope addressed to the MS Petitions, Commissioner of Patents, P.O. Box 1450, Alexandria VA. 22313, Mailing Label No. EU190779620US.


David McEwing

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FEB 03 2004

OFFICE OF PETITIONS

January 28, 2004

MS Petitions
Commissioner for Trademarks
P.O. Box 1450
Alexandria VA 22313-1450

Re: Title: Virtual Cashier
Application No. 10/016,101
GAU 3621

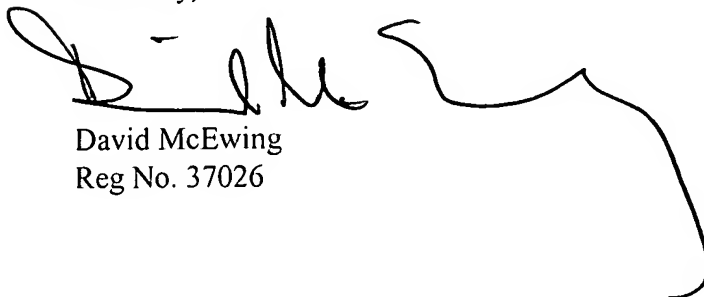
Applicant Michele R. DuPhily
Filing Date: 10/31/2001
Dkt. No. MicroD-02

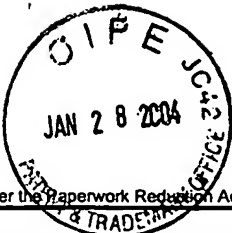
Dear Sir or Madam:

Please advise of the Applicant's Petition for Revival of an Application for Patent Abandoned Unavoidably Under 37 CFR 1.137(a). The petition fee of \$55.00 is enclosed. I have enclosed a self addressed itemized post card for confirmation of receipt. Please note that the Applicant claims small entity status.

As I have outlined in the statement attached to the Petition and supported by Exhibits A through G, the Applicant did respond to all communications received from the USPTO and further repeatedly attempted to follow up to ensure nothing was missing from the prosecution file.

Sincerely,


David McEwing
Reg No. 37026



#5

PTO/SB/61 (11-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

MicroD-02

First Named Inventor: Michele DuPhily

Art Unit: 3621

Application Number: 10/016,101

Examiner:

Filed: 10/31/2001

Title:

RECEIVED

FEB 03 2004

OFFICE OF PETITIONS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☒ Small entity - fee \$ 55.00 (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify the type of reply):

☒ has been filed previously on _____

☐ is enclosed herewith.

B. The issue fee of \$ _____

☒ has been filed previously on _____

☐ is enclosed herewith.

Adjustment date: 05/25/2004
01/30/2004 YPOLITE1 00000008-10016101
01 FC:2452

000136519
\$55.00
Refund Ref: 05/25/2004
CHECK

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01/30/2004 YPOLITE1 00000008 10016101

01 FC:2452

55.00 DP

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1/23/2004
Date


Signature

(713) 514-0137
Telephone Number

David McEwing
Typed or printed name

37,026
Registration Number, if applicable

PO Box 231324
Address

Houston, TX 77023
Address

- Enclosure ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unavoidable delay
- ☐ _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Date

Signature

Typed or printed name of person signing certificate

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

1/28/2004

Date

David McEwen

Signature

37,026

Registration Number, if applicable

David McEwen

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

PLEASE SEE ATTACHED 2 PAGES, SIGNED
by MEJ AND EXHIBITS A THROUGH G.

(Please attach additional sheets if additional space is needed.)

STATEMENT IN SUPPORT OF PETITION FOR REVIVAL OF AN
APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR
1.197(a)

RECEIVED

FEB 03 2004



The undersigned, David McEwing, Registration No. 37,026, has been the attorney responsible for all phases of prosecution of the subject application and has personal knowledge of all events stated herein.

2. The undersigned, on behalf of applicant Michele DuPhily, filed a provisional application (S/N 60/244,495) October 31, 2000. A copy of the itemized post card receipt and the USPTO Filing Receipt having a mailing date of 02/01/2000 is attached as Exhibit A.
3. The undersigned received a "Filing Receipt" having a mailing date of 02/01/2001. A copy of the "Filing Receipt" is attached as Exhibit B.
4. The undersigned filed a utility application (S/N 10/016,101) on October 31, 2001. A copy of the itemized post card receipt is attached as Exhibit C.
5. The application stated in the opening line of the utility application Serial No. 10/016,101, that she claimed priority to the earlier filed provisional application. The relevant text of the application reads at page 1, line 5, as follows.

CROSS REFERENCE TO RELATED APPLICATION

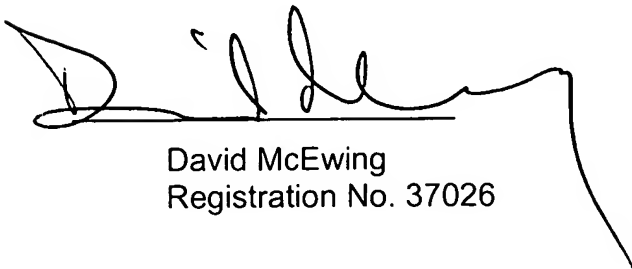
The applicant claims the benefit of U.S. Provisional Application No. 60/224,495 entitled "Virtual Cashier" and filed October 31, 2000.

This claim of priority was made in compliance with 35 U.S.C. 119 and MPEP Section 201.11.

6. The undersigned submitted a change of correspondence address and letter on December 6, 2002 requesting the status of the application. Copies of these documents are attached as Exhibit D. No response was ever received.

7. The undersigned received a "Corrected Filing Receipt" having a mailing date of 02/03/2003. The Corrected Filing Receipt incorrectly stated "This appln claims benefit of 60/224,495 08/11/2000 ABN* (*)Data provided by applicant is not consistent with PTO records." A copy of the "Corrected Filing Receipt" is attached as Exhibit E.
8. The undersigned submitted a responding letter via telecopier and dated March 20, 2003. A copy of this letter is also attached as Exhibit E. The applicant questioned the accuracy of the Corrected Filing Receipt and asked for clarification and an indication of the information being requested by the USPTO. A copy of the March 20, 2003 letter is attached as Exhibit F. No response was received.
9. The undersigned resent his letter to the USPTO on July 28, 2003, again without response.
10. The undersigned attempted to contact the Group Art Unit by telephone (telephone 703-305-9768) and left a message requesting the status of the application. A responding telephone message was received stating that the GAU was only then examining applications filed in 2000, implying that they had not yet reached the applicant's. A copy of the undersigned's email to the Application confirming this telephone message is attached as Exhibit G.
11. The Applicant, through the undersigned, has made diligent and continuous efforts to prosecute the application and respond to all communications received. Notwithstanding this continued diligence, the application has been *unavoidably* held abandoned.

Submitted this 28th day of January, 2004.



David McEwing
Registration No. 37026

Docket No.: Michael - 02
Serial No.: 584485
Filed: October 31, 2000
Applicant: Michele DuPuy

The Patent & Trademark Office acknowledges receipt of this application has stamped heron the date of receipt of, the items checked below which were mailed on October 31, 2000

- ☐ Affidavit
☐ Appeal Notice
☒ Application: Cover Sheet ☐ Page) Specification (12 pages)
☒ Claims: (1 pages) Total Claims: Ind.. Claims
☐ Abstract: (1 pages) Oath: Declaration
☒ Sheets of Drawing(s) Formal ☐ Informal X
☐ Assignment and Recordation Cover Sheet
☐ Brief
☐ Declaration
☐ Inform Disclosure Stmt-Form 1449 (with references)
☐ Issue Fee - Base/Balance [] Fee for Advance Copy(ies)
☐ Letter
☐ Letter, Transmittal
☐ Letter (Charge Deposit Account 19-3884/DNL)
☐ Petition
☐ Power of Attorney
☐ Preliminary Amendment
☐ Request for Extension of Time
☐ Response to
☐ Specimens
☐ Trademark/Service mark Application (pages)
Check # in the amount of \$ 75.00
Check # in the amount of \$
Other:
Other:
Other:

Express Mail #: EK 539017592VS

Docket No. _____ Filed: 10/31/2001
Serial No. _____
Applicant: Michael D. Patis 1021 U.S. PTO
10/016101

The Patent & Trademark Office acknowledges receipt of, and has stamped hereon the date of receipt of, the items checked below which were mailed on October 31, 2001

☐ Affidavit ☐ Appeal Notice
☐ Amendment (____ Pages)
☐ Provisional Application (____ Pages)
☒ Utility Application (13 Pages)
☒ Application Cover Sheet
☐ Claims (2 Pages) Total 17 Ind. 2
☒ Abstract (1 Pages) Oath Declaration 2 Pgs
☒ Drawings (19 Sheets) Formal ☒
☐ Assignment ☐ Recordation Cover
☐ Declaration ☐ Power of Attorney
☐ Brief ☐ Memo (____ Pages)
☐ Information Disclosure Statement (____ References)
☐ Issue Fee ☐ Fee for Advance Copies
☐ Letter ☒ Transmittal Letter (2 Pgs)
☐ Petition (____ Pages)
☐ Request for Extension of Time
☐ Response to _____
☐ Other _____

Drawings #11 is informal (Page 18/19)
Declaration Form PTO 613/01
☒ Check No. 1192 \$ 37000
☐ Check No. _____ \$ _____

Express Mail Label ET 61107921SUS



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/244,495	10/31/2000		75	MicroD-02	17		

Law Office of David McEwing
Number 118 4582 Kingwood Dr
Kingwood, TX 77345

FILING RECEIPT



OC00000005726003

Date Mailed: 02/01/2001

Receipt is acknowledged of this provisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michele R. DuPhily, Portland, OR ;

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 02/01/2001

** SMALL ENTITY **

Title

Virtual cashier

Preliminary Class

Data entry by : YON, LOWUAN

Team : OIPE

Date: 02/01/2001



Law Office of David L. McEwing, Patent Attorney

PO Box 231324
Houston, Texas 77023

Telephone (713) 514-0137
FAX (713) 514-9840

www.HoustonPatentLaw.com
dmcewing@houston.tx.com

December 6, 2002

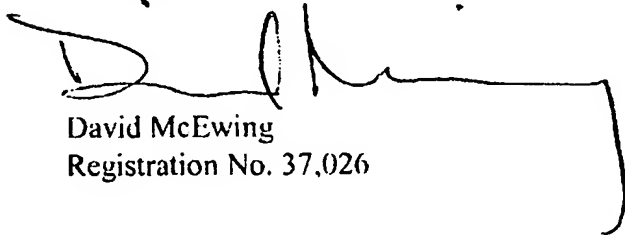
Assistant Commissioner of Patents
United States Patent & Trademark Office
Box Patent Applications
Washington, D.C. 20231

Re: **Application No. 10/016,101**
Filing Date: 10/16/2001 Applicant: Michele DuPhily

Dear Sir or Madam:

Please advise of the status of the above referenced application. I realize and appreciate the Group Art Unit may be overwhelmed with applications. However confirmation of this or estimate as to when the applicant may expect an office action would be appreciated.

Sincerely,



David McEwing
Registration No. 37,026

CHANGE OF CORRESPONDENCE ADDRESS Patent

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Patent Number

Issue Date

Application Number

10/016,101

Filing Date

10/31/2001

First Named Inventor

Michele DuPhily

Please change the Correspondence Address for the above-identified patent to:

☐ Customer Number

Type Customer Number here

Place Customer
Number Bar Code
Label here

OR

Firm or
Individual Name

David McEwing

Address

P.O. Box 231324

Address

City

Houston

State

TX

ZIP

77023

Country

US

Telephone

(713) 514-0137

Fax

(713) 514-9840

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

This form will not affect any "fee address" provided for the above-identified patent. To change a "fee address" use the "Fee Address Indication Form" (PTO/SB/47).

I am the :



Patentee.



Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

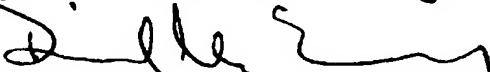


Attorney or agent of record.

Typed or
Printed Name

David McEwing

Signature



Date

December 6 2002

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number 10/016101

Filing Date 10/31/2001

First Named Inventor Michele DuPhily

Group Art Unit

Examiner Name

Total Number of Pages in This Submission 3

Attorney Docket Number MicroD-02

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☒ Power of Attorney, Revocation
Change of Correspondence
Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication
to Group☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☒ Status Letter☐ Other Enclosure(s) (please
identify below):

Remarks

COPY**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm
or
Individual name

David McEwing

Signature



Date

12/06/2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 12/06/2002

Typed or printed name

David McEwing

Signature



Date

12/06/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/016,101	10/31/2001	3621	370	MicroD-02	18	17	3

David McEwing
PO BOX 231324
Houston, TX 77023

CONFIRMATION NO. 7946

CORRECTED FILING RECEIPT



OC00000009467710

Date Mailed: 02/03/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Michele R. Duphily, Portland, OR;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/224,495 08/11/2000 ABN *

(*)Data provided by applicant is not consistent with PTO records.

Foreign Applications

If Required, Foreign Filing License Granted: 01/24/2002

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Virtual cashier

Preliminary Class

705

FROM: Law Office of David L. McEwing, Patent Attorney

PO Box 231324
Houston, Texas 77023

Telephone: (713) 514-0137
Facsimile: (713) 514-9840

Email: DMcEwing@houston.rr.com
www.HoustonPatentLaw.com

TO: Group Art Unit 3600

Firm: USPTO

FAX No. (703) 305-7687

Number of Pages (including cover) 3

DATE: March 20, 2003

RE: Application 10/016,101
Virtual Cashier
Applicant – Michele R. DuPhily

COMMENTS: See status letter attached and question regarding priority date.

The contents of this facsimile are intended solely for the listed recipient and may contain privileged and confidential information. In the event that this message is transmitted to you in error, please call my office at (713) 514-0137 for instructions. Your cooperation and courtesy will be greatly appreciated.

Called GAU 3621
(703) 305-~~9~~9768

Left msg requesting
status 8/4/2003
/du

~~RE-SENT~~ RE-SENT 7/28/2003
du
(NO RESPONSE RECEIVED)

Fax TO: 7/28/2003
FROM: du

Law Office of David L. McEwing, Patent Attorney

PO Box 231324
Houston, Texas 77023

Telephone (713) 514-0137
FAX (713) 514-9840

www.HoustonPatentLaw.com
dmcewing@houston.rr.com

March 20, 2003

US Patent & Trademark Office
Patent Technology Center 3600
Washington, DC 20231

VIA TELECOPIER
(703) 305-7687

Re: Title: Virtual Cashier
Application No. 10/016,101
GAU 3621

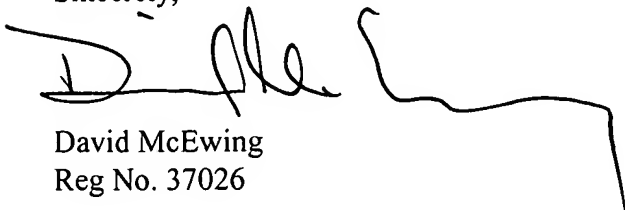
Applicant Michele R. DuPhily
Filing Date: 10/31/2001
Dkt. No. MicroD-02

Dear Sir or Madam:

Please advise of the status of this application. I have received the Corrected Filing Receipt, Confirmation No. 7946. *I note that the receipt indicates that the data of claimed priority does not match PTO records.*

Can this be clarified? What information can be supplied to confirm the accuracy of the priority claim?

Sincerely,



David McEwing
Reg No. 37026

David McEwing

From: "David McEwing" <dmcewing@houston.rr.com>
To: "DuPhily, Michele" <Michele.DuPhily@PacifiCorp.com>
Sent: Monday, August 25, 2003 7:47 PM
Subject: Patent Status

Michele

I did hear from the patent office that application 09/832,304 (MicroD-01) for "I-Card Electronic Currency" is not expected to be examined for the next 12 to 15 months. [REDACTED]

[REDACTED] Note this message was from the Customer Service Office of Technology Center 09534, phone number (703) 306-5631.

I also received a phone message from the USPTO office regarding the Virtual Cashier application (MicroD-02). The message was that they were not expecting to Finnish examining the application filed in 2000 until late this year and since your application (10/016101) was not filed until October of 2001, it would be later in 2004 before they expected to reach the application. Note that this application is within GAU (Group Art Unit) 3621.

I know this is not much news. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Let me know if you have any questions.

David (713) 514-0137

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
55.00

Complete if Known

Application Number 10/016,101
Filing Date 10/31/2001
First Named Inventor Michele DuPhely
Examiner Name
Art Unit 3621
Attorney Docket No. MicroD-02

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051 130		2051 65		Surcharge - late filing fee or oath	
1052 50		2052 25		Surcharge - late provisional filing fee or cover sheet	
1053 130		1053 130		Non-English specification	
1812 2,520		1812 2,520		For filing a request for <i>ex parte</i> reexamination	
1804 920*		1804 920*		Requesting publication of SIR prior to Examiner action	
1805 1,840*		1805 1,840*		Requesting publication of SIR after Examiner action	
1251 110		2251 55		Extension for reply within first month	
1252 420		2252 210		Extension for reply within second month	
1253 950		2253 475		Extension for reply within third month	
1254 1,480		2254 740		Extension for reply within fourth month	
1255 2,010		2255 1,005		Extension for reply within fifth month	
1401 330		2401 165		Notice of Appeal	
1402 330		2402 165		Filing a brief in support of an appeal	
1403 290		2403 145		Request for oral hearing	
1451 1,510		1451 1,510		Petition to institute a public use proceeding	55
1452 110		2452 55		Petition to revive - unavoidable	
1453 1,330		2453 665		Petition to revive - unintentional	
1501 1,330		2501 665		Utility issue fee (or reissue)	
1502 480		2502 240		Design issue fee	
1503 640		2503 320		Plant issue fee	
1460 130		1460 130		Petitions to the Commissioner	
1807 50		1807 50		Processing fee under 37 CFR 1.17(q)	
1806 180		1806 180		Submission of Information Disclosure Stmt	
8021 40		8021 40		Recording each patent assignment per property (times number of properties)	
1809 770		2809 385		Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770		2810 385		For each additional invention to be examined (37 CFR 1.129(b))	
1801 770		2801 385		Request for Continued Examination (RCE)	
1802 900		1802 900		Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)
55.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type) David McEwing
Registration No. (Attorney/Agent) 37,026
Telephone (713) 54-0137
Signature [Signature]
Date 1/28/2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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